

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Vice Chair Jennifer Fielder, on March 9, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Keith Regier, Chair (R)
Sen. Scott Sales (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 62, 2/23/2017; HB 342, 2/23/2017; HB 93, 2/23/2017; HB 370, 2/23/2017

Executive Action: SB 255 Be Tabled; HB 45 Do Pass As Amended

HEARING ON HB 62

Opening Statement by Sponsor:

00:00:34 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 62, Dept. of Revenue to collect fees for public defender services.

Proponents' Testimony:

00:01:46 Amy Sassano, Office of Budget and Program Planning
00:02:28 Greg Mohr, Montana Magistrates Association
00:02:43 Tammie Chenoweth, Montana Department of Revenue

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:03:23 Rep. Brodehl

HEARING ON HB 342

Opening Statement by Sponsor:

00:03:58 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB 342, Revise business laws related to liability and agritourism.

[**EXHIBIT\(jus49a01\)**](#)

Proponents' Testimony:

00:05:43 Chris Christiaens, representing himself and Montana Farmers Union
00:08:29 Sen. Sales joined the meeting.
00:10:36 Levi Ostberg, Montana Farmers Union, and representing himself
00:14:10 Chelcie Cargill, Montana Farm Bureau Federation
00:17:18 Webb Brown, Montana Chamber of Commerce
00:18:10 Levi Ostberg, speaking for Mike Murphy, Montana Water Resources Association

Opponents' Testimony:

00:18:33 Al Smith, Montana Trial Lawyers Association (MTLA)

[**EXHIBIT\(jus49a02\)**](#)

[**EXHIBIT\(jus49a03\)**](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:00 Sen. Vincent
 00:30:22 Rep. Fitzgerald
 00:30:32 Sen. Vincent
 00:31:10 Rep. Fitzgerald
 00:31:59 Sen. Vincent
 00:33:10 Mr. Smith, MTLA
 00:35:22 Sen. Sands
 00:35:48 Mr. Smith
 00:37:30 Vice Chair Fielder
 00:38:12 Mr. Smith
 00:38:38 Chair Fielder
 00:38:40 Mr. Smith

Closing by Sponsor:

00:38:51 Rep. Fitzgerald

HEARING ON HB 93

Opening Statement by Sponsor:

00:40:58 Rep. Frank Garner (R), HD 7, opened the hearing on HB 93, Generally revise law enforcement academy funding laws.

Proponents' Testimony:

00:48:40 Glen Stinar, administrator, Montana Law Enforcement Academy, Department of Justice (DOJ)
 00:55:00 Dave Galt, Montana Sheriffs and Peace Officers Association
 00:56:33 Mark Murphy, Montana Association of Chiefs of Police (MACOP), Montana Sheriffs and Peace Officers Association

Opponents' Testimony:

00:59:52 Greg Mohr, Montana Magistrates Association
[EXHIBIT\(jus49a04\)](#)

01:06:36 SK Rossi, ACLU of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:07:51 Sen. Sands
 01:08:26 Mr. Murphy, MACOP
 01:10:50 Sen. Sands
 01:11:03 Rep. Gardner
 01:11:45 Sen. Sands

01:12:02 Rep. Gardner
 01:12:34 Sen. MacDonald
 01:13:14 Rep. Gardner
 01:14:52 Chair Fielder
 01:15:14 Mr. Stinar, DOJ
 01:18:43 Chair Fielder
 01:18:50 Mr. Stinar

Closing by Sponsor:

01:19:00 Rep. Gardner

HEARING ON HB 370

Opening Statement by Sponsor:

01:21:49 Rep. Bryce Bennett (D), HD 91, opened the hearing on HB 370, Revise laws regarding the recording of public meetings.

Proponents' Testimony:

01:23:58 John MacDonald, Montana Newspaper Association (MNA)
 01:26:49 SK Rossi, ACLU of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:28:19 Sen. Hinkle
 01:28:33 Rep. Bennett
 01:28:48 Mr. MacDonald, MNA
 01:29:33 Julianne Burkhardt, Legislative Services Division (LFD)
 01:30:11 Sen. Sands
 01:30:36 Mr. MacDonald

Closing by Sponsor:

01:31:33 Rep. Bennett

 01:32:24 Chair Fielder
 01:32:41 Sen. Swandal
 01:32:47 Sen. Vincent

 01:33:15 Recess
 01:48:08 Reconvene

EXECUTIVE ACTION ON SB 255

01:48:35 **Motion:** Sen. Sands moved that **SB 255 DO PASS.**

Discussion:

01:48:51 Sen. Swandal

01:49:50 **Vote:** Motion failed unanimously by voice vote. Sen. K. Regier and Sen. S. Sales voted by proxy.

01:50:08 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **SB 255 BE TABLED AND THE VOTE REVERSED.** Substitute Motion carried unanimously by voice vote. Sen. K. Regier and Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON HB 45

01:50:31 **Motion:** Sen. Sands moved that **HB 45 BE CONCURRED IN.**
EXHIBIT(jus49a05)

01:51:38 **Motion/Vote:** Sen. Sands moved that **HB 45 BE AMENDED.** Motion carried unanimously by voice vote. Sen. K. Regier and Sen. S. Sales voted by proxy.

01:51:49 **Motion/Vote:** Sen. Sands moved that **HB 45 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. K. Regier and Sen. S. Sales voted by proxy. Sen. Sands will carry the bill.

ADJOURNMENT

Adjournment: 10:52 AM

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([jus49aad.pdf](#))